

# **PLANNING REPORT**

**Fitzroy North former gasworks site**

**111 Queens Parade & 433 Smith Street,  
Fitzroy North**

## Contents

<b>Introduction</b>	<b>3</b>
<b>Site and surrounds</b>	<b>4</b>
<b>Current Zoning and Overlays</b>	<b>8</b>
<b>Background</b>	<b>11</b>
<b>Master Plan</b>	<b>13</b>
<b>Proposed Amendment C243</b>	<b>18</b>
<b>Strategic Policy context</b>	<b>22</b>
<b>Strategic Assessment</b>	<b>26</b>
<b>Conclusion</b>	<b>31</b>

## Introduction

The Fitzroy North former Gasworks site located at 111 Queens Parade and 433 Smith Street, Fitzroy North has been declared surplus to Government requirements and provides a rare opportunity for the redevelopment of a mixed use village comprising a variety of housing types, community facilities and open space within an established suburb. Being surrounded on all sides by major roads creates an island effect with a significant buffer between the site and existing urban environments, thereby providing a site with space to address both community needs as well as a strategic development outcome.

As the site is currently zoned Public Use Zone and Commercial 2 Zone, a planning scheme amendment is required to facilitate the redevelopment of the site. Proposed Amendment C243 to the Yarra Planning Scheme seeks to:

- Rezone the land from Public Use Zone and Commercial 2 Zone to Mixed Use Zone and Public Use Zone (2 – Education for the council depot).
- Introduce a new Schedule 16 to the Development Plan Overlay into the planning scheme and apply it to the site.
- Apply an Environmental Audit Overlay to the site.
- Amend Clause 61.01 of the Yarra Planning Scheme to make the Minister for Planning the Responsible Authority for the site.

The redevelopment of the site for medium to high density, with maximum heights ranging from 6 up to 14 storeys, supports Plan Melbourne's direction to deliver more housing closer to jobs and public transport specifically encouraging mixed use developments and greater housing diversity and density near employment and transport. This direction identifies opportunities for more medium to high density development in middle suburbs close to jobs and services.

The proposed amendment is consistent with State and Local Planning Policy Framework, which identifies the site as a Strategic Redevelopment Site and the *North Fitzroy Gasworks Precinct Urban Design Framework 2008* prepared by the City of Yarra.



Figure 1: Map of subject site

## Site and surrounds

### Subject Site

The 3.9 hectare site at 111 Queens Parade and 433 Smith Street, Fitzroy North is crown land, divided into six parcels. The site is located approximately 4km north east of the Melbourne CBD and is surrounded by the suburbs of Fitzroy, Clifton Hill, Northcote, East Brunswick, Collingwood and Carlton North. The site is essentially an "island" surrounded on all sides by major roads, occupying a prominent position between Queens Parade, Alexandra Parade and Smith Street.

These major transport routes connect the precinct to the CBD and the eastern and north-eastern suburbs, but at the same time isolate it from surrounding neighbourhoods of Fitzroy, Collingwood and Clifton Hill. It also includes mixed light industrial/business and some housing to the east and west. The precinct is within an easy walk of Edinburgh Gardens, Darling Gardens, the Fitzroy Pool and Collingwood Pool as well as the shopping and commercial strips of Smith Street and Brunswick Street.

The site comprises remnant gasworks buildings, a heritage-listed iron shed, twentieth century brick buildings leased to a number of tenants, and both at-grade and underground car parking. The north-west section of the site is used by the Yarra Council as a Municipal Depot, for storage of vehicles and equipment.

The site's main local attractions are summarised as follows:

- Transport links: Alexandra Parade (and Eastern Freeway), Smith Street, and Queens Parade. Good bicycle infrastructure in surrounding streets.
- Public Transport: Tram route 86 along Smith St (Bundoora to Docklands), Bus route 546 along Queens Pde/George St (Heidelberg to Melbourne University), Tram route 11 along Brunswick St (West Preston to Docklands) 300m to the west, Clifton Hill Railway Station (1km to the north-east).
- Schools/education: Clifton Hill Primary School, St John's Primary School, Simonds Catholic College (Fitzroy North campus – VCE only), Academy of Mary Immaculate Girls Catholic school, Fitzroy High School, Fitzroy North Primary School, Melbourne Polytechnic (formerly NMIT) Collingwood campus.
- Retail options: Smith Street, Brunswick Street, Queens Parade, Johnston St (closest Coles approx. 700m south west of site)
- Parks, reserves, and recreation: Edinburgh Gardens, Darling Gardens, Fitzroy Swimming Pool, Collingwood Leisure Centre.



Figure 2: Context Plan

Site photos



Figure 3: Key map to site photos



Queens Parade frontage



Alexandra Parade frontage



Smith Street frontage

## Site history

The site was used to manufacture ‘town’ gas (from coal) from 1861 until 1927. Gas holders at the site continued to store gas until the 1960s. During the 1940s, the site was used by the Department of Defence (Commonwealth) for the production of military hardware as well as supplying ammonia by-product for explosive production. The Council depot portion of the site has been used for municipal purposes since 1880 and is currently used as a minor maintenance depot for its landscaping division. Since 2014, only short term tenants have been occupying the site.



Figure 4: Aerial photo of Gasworks, early 1900s

## Contamination

The site is highly contaminated as a result of the historic uses. A number of environmental investigations have been undertaken since 1995 and have identified contamination associated with the former site activities in soil and groundwater onsite and offsite. In 2011, the Department of Treasury and Finance (DTF) completed a voluntary

Environmental Audit to provide an assessment of risk of any possible harm or detriment to the beneficial uses of land and groundwater at and surrounding the site. In early 2014, the Environment Protection Agency (EPA) issued a clean-up notice to DTF which required the preparation of an Interim Clean-Up Plan and an evaluation of remediation options to restore beneficial uses on and off-site to the extent practicable.

An Environmental Audit Overlay is proposed as part of Amendment C243 to ensure the site is suitable for sensitive uses prior to commencement.

## **Heritage**

The Gasworks site forms part of North Fitzroy's industrial and social heritage and includes buildings of historical interest. Most of the historical industrial buildings on the site have been removed since the gasworks closed.

- *The Porter Shed*

The rectangular iron shed is covered by the Heritage Overlay (HO468 – Porter Prefabricated Iron Store) and listed on the Victorian Heritage Register as being of state significance. The building was manufactured in England between 1853 and 1856 and is a rare example of a prefabricated iron building imported into Victoria during the gold rush era. The building is proposed to be removed from the site, restored and relocated elsewhere. This process is subject to ongoing discussions with Heritage Victoria and approvals in accordance with the *Heritage Act 1988*.

- *The Valve House*

Located on the south west corner of the site, fronting Alexandra Parade and George Street, the former Fitzroy Gas Valve House is of local historical significance and local architectural interest. Historically, the buildings are the only surviving remnants of the once extensive Fitzroy Gasworks, which played an integral part in the supply of gas to Melbourne from the mid-19th century until the 1970s. Architecturally, the buildings are typical and substantially intact examples of simple late 19th century industrial buildings.

The Valve House is subject to an individual Heritage Overlay (HO211 – Former Fitzroy Gas Works Valve House and Store) but is not on the Victorian Heritage Register.

## Current Zones and Overlays

The site is currently zoned Public Use Zone (1 – Service and Utility and 6 – Local Government) with a small portion of Commercial Zone (Schedule 2) in the south-east corner of the site.

### Public Use Zone (1 – Service and Utility and 6 – Local Government)

The purpose of the Public Use Zone is:

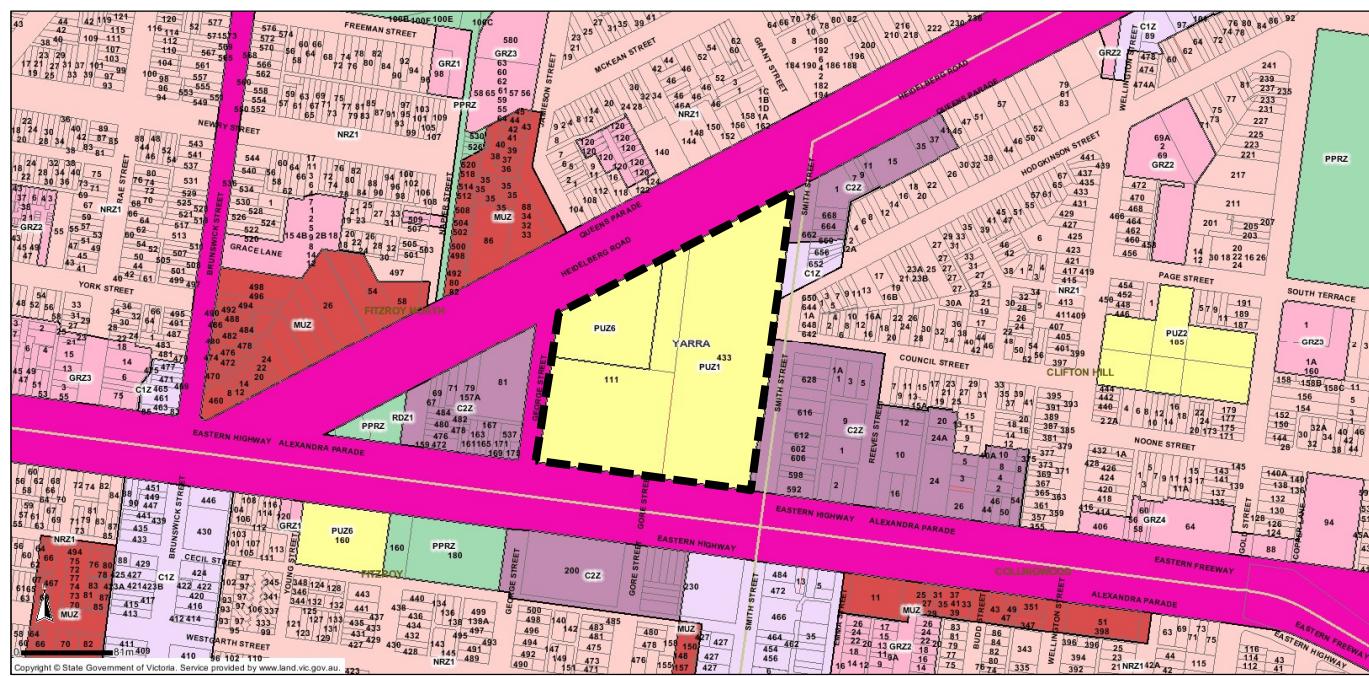
- To recognise public land use for public utility and community services and facilities.
- To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

### Commercial 2 Zone

The purpose of the Commercial 2 Zone is:

- To encourage commercial areas for offices, appropriate manufacturing industries, bulky goods retailing, other retail uses, and associated business and commercial services.
- To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

This zone encourages offices and associated business and commercial services together with appropriate industry and retailing.



- To encourage urban design that provides for a high level of community safety and comfort.
- To limit visual clutter.
- To maintain and where needed, create, a high level of amenity to adjacent residential uses through the design, height and form of proposed development.

The overlay relates to the Alexandra Parade frontage of the site and requires a well considered architectural response which recognises and reinforces the pattern of development fronting the street. This overlay is proposed to be retained.

### **Heritage Overlay (HO211 and HO468)**

The purpose of the Heritage Overlay is:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Valve House and Porter Shed located on the site are subject to a Heritage Overlay (as indicated below). The Porter Shed is also on the Victorian Heritage Register. The Heritage Overlay over both sites are proposed to be retained.

PS map ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-3	Included on the Victorian Heritage Register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO211	Cnr George Street ALEXANDRA PARADE NORTH FITZROY  Former Fitzroy Gas Works Valve House and Store	Yes	No	No	No	No	No	Incorporated Plan under the provisions of clause 43.01 Heritage Overlay, Planning permit exemptions, July 2014	No
HO468	111 QUEENS PARADE FITZROY NORTH  Porter prefabricated iron store	-	-	-	-	Yes Ref No H2243	No		No

*Figure 6: Extract from Heritage Overlay*

### **Special Building Overlay**

The purpose of this overlay is:

- To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

The Special Building Overlay applies to a small portion along the western boundary of the site. This overlay applies to urban land that is subject to overland flow resulting from stormwater flooding where the capacity of the drainage system is exceeded during heavy rainfall. This overlay is proposed to be retained.

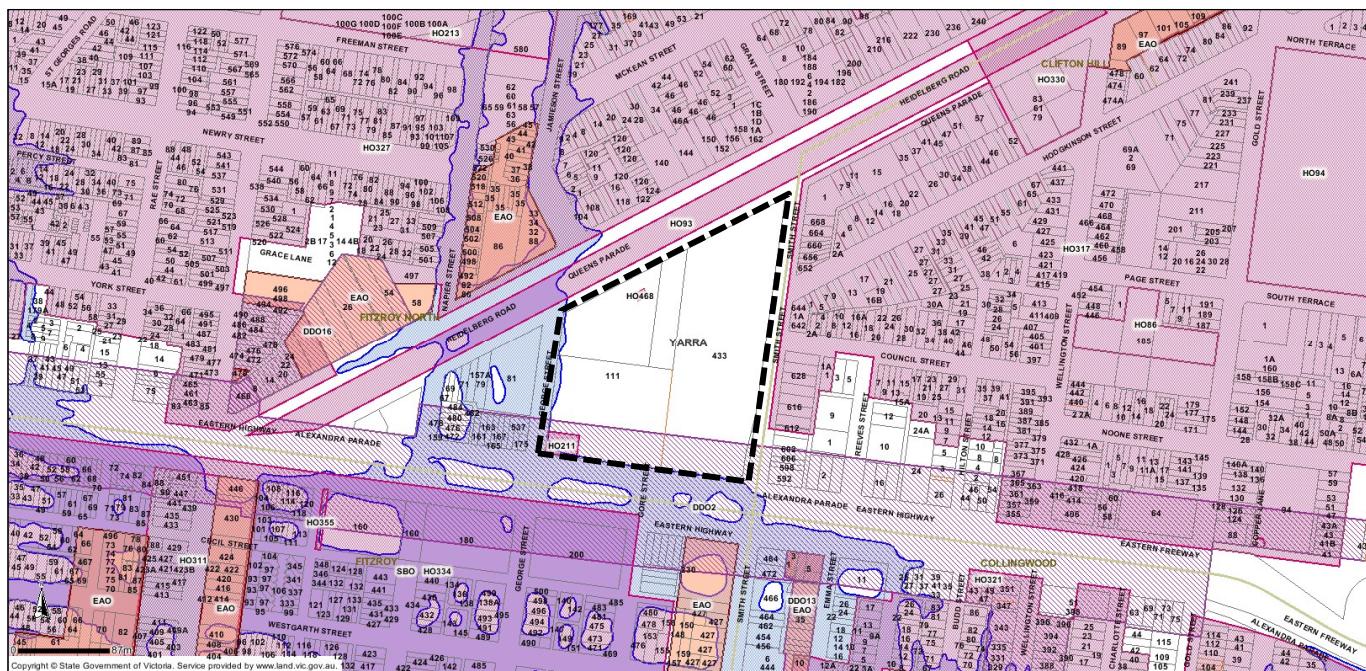


Figure 7: Existing overlay map

## Surrounding Zones and Overlays

The surrounding land is currently zoned Commercial 2 Zone, Mixed Use Zone and Neighbourhood Residential Zone. The Heritage Overlay (HO317), Special Building Overlay and Environmental Audit Overlay also apply to surrounding land.

## Background

### Development Victoria's role

Development Victoria, the State Government's property development and civic project management agency is investigating the potential redevelopment of the site.

Development Victoria has worked with leading architects to develop a concept master plan that would transform the site into a mixed use development including housing, recreation, education and commercial use. The redevelopment will be a whole of government approach to urban renewal. Delivering an integrated, sustainable and thriving urban village showcasing the revitalisation of a strategic inner-city site for a growing Melbourne.

### Community Engagement

Development Victoria has undertaken a two-phase engagement process for the site.

#### Phase 1

Engagement was undertaken with the Fitzroy North community between May and June 2016, introducing the proposal to renew the site and to hear the community's views. Over 2,500 comments were received from stakeholders and community members at community workshops, an online survey, meetings with community groups and a community reference group set up for the project.

Key themes raised during the consultation process (also identified in the diagram below) were:

- recreation and open space with specific themes around an indoor sporting facility, open space, playgrounds and skate parks.
- built form, housing and land use mix, specifically affordable and social housing, height and density, architecture and design, sustainable design and mixed land use.
- community facilities and amenities including galleries, studio and artistic spaces, commercial spaces for retail, food and beverage, a 'village feel' that encompasses safety and a family friendly neighbourhood, education and child care facilities and a library or community drop in centre.
- transport including access and cycling facilities, car parking, public transport, site access and walkability.
- heritage, specifically retaining the existing formal and informal heritage aspects including indigenous heritage, art and streetscapes as well as reflecting the historical use of the site.
- environment including green open space, sustainable design principles and concerns relating to the site remediation.
- process around the project, specifically planning and development, community engagement process and the funding model.

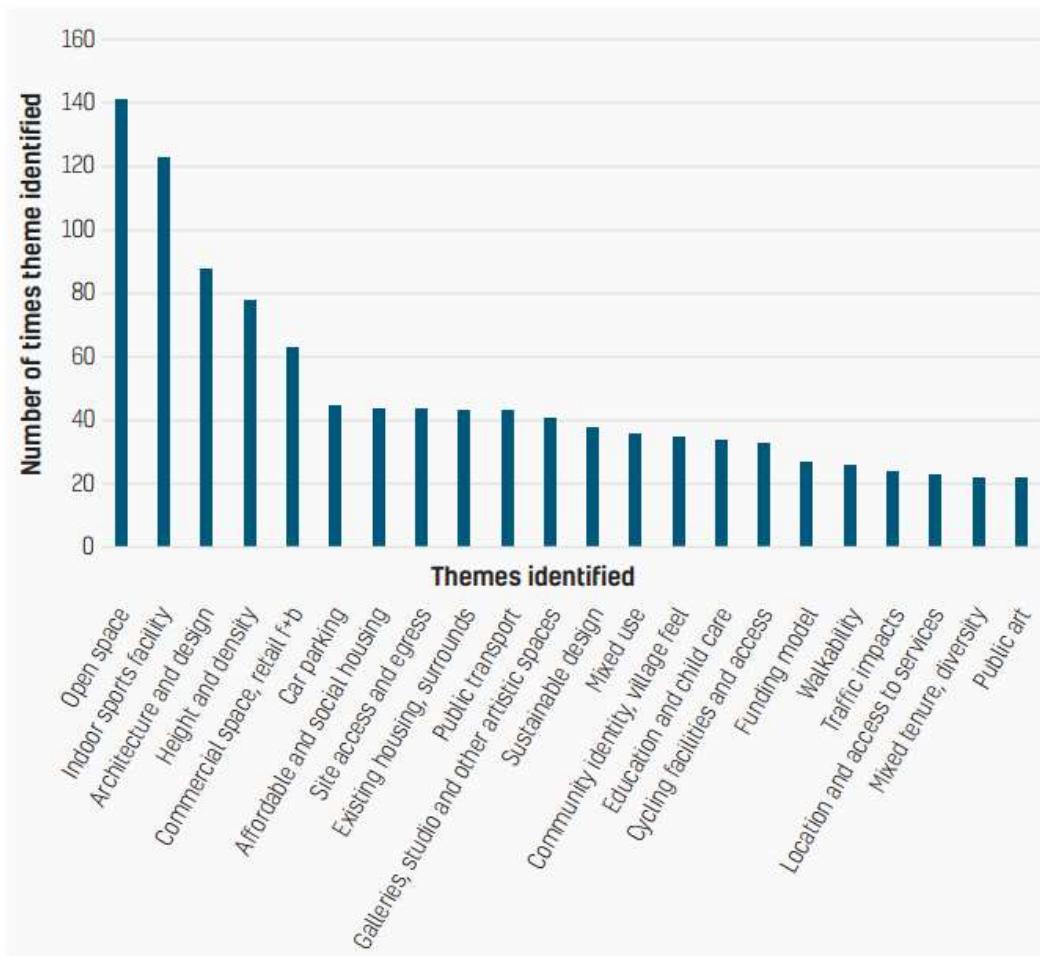


Figure 8: Themes identified during consultation

## Phase 2

Further engagement was undertaken in November 2017 which included exhibition of the concept Master Plan. This process demonstrated how community concerns and aspirations identified during Phase 1 engagement were responded to in Concept Plans, prior to the submission of this amendment.

The engagement included an online platform/survey, Community Reference Group, community information sessions and notices sent to 3000 residents. The online platform received 5840 views, 447 downloads and 76 survey responses. Community information sessions were held on 19 and 21 November 2017 which attracted 25 attendees.

Feedback received included the following;

- Open space for recreation is regarded as critical.
- Retention of local character, height and density, is important.
- Active transport is highly valued
- Community facilities and spaces are considered essential.

## Master Plan

The redevelopment of the site will be a whole of Government approach to urban renewal, delivering an integrated, sustainable and thriving urban village showcasing the revitalisation of a strategic inner-city site for a growing Melbourne. The site offers a significant urban renewal opportunity for Melbourne's inner suburbs, with a focus on mixed use development including housing, recreation, education and commercial uses.

The Master Plan represents an indicative development outcome for the site.

The Master Plan incorporates and responds to community and stakeholder feedback identified throughout the two-phase engagement process. Input throughout the Master Plan process was also sought from the Office of the Victorian Government Architect (OVGA) with presentations made in June and September 2017.

The Master Plan responds to the *North Fitzroy Gasworks Precinct Urban Design Framework 2008* prepared by the City of Yarra. The Master Plan is generally consistent with identified heights and density, ensuring the proposal responds to Queens and Alexandra Parade

The Master Plan focuses on integrating the existing neighbourhood to provide a shared experience between what the gasworks site offers to the local neighbourhood and what the neighbourhood offers future residents. This approach mitigates the site becoming an island site, but focuses on complimenting the community and strengthening the '20-minute' neighbourhood with the school, sports courts, open space, retail and pedestrian and cycle connections.

The design builds on four key themes identified throughout the community engagement process.

- 1. Recreation and Open Space –** open space and indoor sports facility.
- 2. Built form, housing and land use mix –** architecture and design, height and density, affordable and social housing, sustainable design and mixed use.
- 3. Community facilities and amenity –** galleries, studio and other artistic spaces.
- 4. Transport and permeability –** car parking, site access and egress and public transport.

The Master Plan provides for an indicative range of the following uses:

- 1,100 apartments (1 bed, 2 bed, 3 bed, and duplex)
- 4,300 sqm retail, shops & small businesses
- Childcare
- Sports Courts
- Vertical secondary school
- Live/work units
- 14% public realm (excluding streets)
- 8% active open space
- 700 car spaces in basement structures



*Figure 9: indicative Master Plan*

## Technical reports

As part of Development Victoria's role in investigating the renewal of the site, a number of technical reports have been prepared over 2016 and 2017. These reports reference a variety of master plan options for the site including various development outcomes i.e. number of apartments. They are intended to provide technical guidance as to redevelopment issues only. More detailed work would be required as part of the preparation of a future Development Plan.

### Transport Review

A Transport Review prepared by GTA consultants in October 2017 provided the following advice:

- The report has concluded that the provision of car spaces provided are considered appropriate given the proximity to public transport and nearby facilities. A reduction in car parking is considered appropriate due to the following:
  - The site has excellent accessibility to public and active travel facilities including the potential future provision of a tram superstop along the sites frontage on Smith Street.
  - The reduced provision assists to support state and local transport policy and seek to reduce reliance on the private motor vehicle.
  - ABS data suggests that the surrounding suburbs have car ownership rates lower than one car space per dwelling (for one and two-bedroom apartments).
  - The provision of car share vehicles within the site and allowance for ride share pick up and drop off spaces is recommended in this report and further supports a reduction in the car parking rate.
- The proposed development must capitalise on these opportunities to encourage the use of public transport, cycling, and walking and not encouraging an abundance of car parking within this area, and in turn an over use of motor vehicles.
- The subject site is well served by public transport with tram and bus routes fronting the sites boundaries. Several other tram and bus routes are located within a 15-minute walk of the site, while Clifton Hill and Victoria Park Railway Stations are approximately 15 and 18 minute walk from the site, respectively. It has been recommended that a dedicated tram reserve is created on Smith Street in the centre of the road near the proposed signalised intersection.
- The site is well integrated with public pedestrian and cycling infrastructure.

### Heritage Review (May 2017)

A Heritage Review was prepared by Purcell in May 2017. The report provided the following:

Construction of the Fitzroy Gasworks site commenced in 1860 and the first fires were lit in April 1861, under the management of the Collingwood, Fitzroy and District Gas and Coke Company. The site operated under the Collingwood, Fitzroy and District Gas and Coke Company until 1878 when it was merged with the South Melbourne Gas Company and the City of Melbourne Gas and Coke Company, creating the Metropolitan Gas Company. The newly created company utilised the existing site as their Fitzroy Station. The Metropolitan Gas Company was the major gas supplier of Victoria until 1951, when it was transformed into the Gas & Fuel Corporation of Victoria. Part of the site was also used as the local Council Yards (then the City of Fitzroy) from 1895. The Yarra Council continues to use the site as a Municipal Depot.

### Community Needs Assessment

ASR Research Community Planning prepared a Community Needs Analysis in December 2016. The report identified the following recommendations.

- *Passive Open Space* – Based on discussions with Council officers this assessment recommends the proposed development include a minimum of 1,755 square metres of public open space complimented by a

network of privately owned / managed public realm spaces. Ideally, this public open space should be located centrally within the development and interface efficiently and effectively with adjacent land uses.

- *Active Open Space* – In addition to the provision of new passive open space within the development, further discussions with council are required to confirm the need for an off site financial contribution toward improving the quality and/or capacity of existing nearby sporting reserves. This should be assessed in the context of the indoor sports courts proposed for the site, representing a significant contribution toward organised sport.
- *Council Aquatic Facilities* – The proposed establishment of a multi-court indoor high ball recreation facility within the subject site is likely to be sufficiently large to satisfy the development's contribution toward addressing current and future sporting demands, albeit limited to those sports typically accommodated within such a facility.
- *Early Years Service Provision* – No additional early years service provision is recommended.
- *Multipurpose Community Centre* – This assessment considers there to be sufficient justification for the establishment of a new multipurpose community centre within the Fitzroy Gasworks site, containing approximately 300 square metres of floor space.
- *Neighbourhood Houses* – Additional provision at the site is not recommended.
- *Library Services* – Additional provision at the site is not recommended.
- *Education Facilities* – The report recommends collaboration with DET to facilitate the design and establishment of a new Government Secondary School. The need for additional higher education facilities in the catchment is unlikely given the existing significant supply of universities in Melbourne CBD and Parkville.
- *Public Art* – There is merit in providing the installation of public art within the subject site, preferably within a proposed open space location likely to be a focal point for community gatherings.
- *Police and Emergency Services* – No additional police or emergency service provision is recommended for the site.
- *Acute and Community Health Services* – The need for new acute or community health facilities within the 2-kilometre catchment is unlikely given the existing significant supply and diversity health services. However, if a commercialised community hub were to be established as part of the proposed Fitzroy Gasworks development, smaller health services such as general practices could be established on a commercial basis.
- *Residential Aged Care* – The proponents of any future development of the subject site are encouraged to seek expressions of interest from private / community based residential aged care providers to establish a new facility within the subject site.

## Community Engagement

### Phase 1 engagement (July 2016)

Phase 1 was undertaken for 6 weeks from 2 May to 10 June 2016. This phase aimed to inform the community about the project and of upcoming opportunities to be involved and provide information to add to other due diligence reports.

Over 2500 comments were received with 65 stakeholders attending two community information sessions and making 600 comments. Over 90 survey responses were received through online engagement.

Overall, the following was identified:

- The need for an indoor sports facility was identified by many community members and stakeholders.
- There was strong support for the objectives and principles identified in the *North Fitzroy Gasworks Precinct Urban Design Framework 2008*.
- Height of the development was a common concern.
- The need for some form of social or affordable housing was identified.
- Site permeability and access was an important consideration. In particular, cycle and pedestrian access.
- The need for a mix of uses on the site was identified. This included community facilities, artistic or creative spaces and areas for members of the community to come together to create.

### Phase 2 engagement (December 2017)

Nation Partners prepared a report on the key findings from Phase 2 engagement.

Phase 2 engagement involved community and stakeholder consultation on the exhibited Master Plan. The engagement included an online platform/survey, Community Reference Group, community information sessions and notices sent to 3000 residents. The online platform received 5840 views, 447 downloads and 18 survey responses. Community information sessions were held on 19 and 21 November 2017 which attracted 25 attendees.

Overall, the report found the following:

- There is general support for the renewal of the site – including the idea to provide for more affordable housing as well as to create spaces for community activities and new businesses.
- Open space and the inclusion of green/parkland areas are considered fundamental to the future design of the site.
- Community facilities such as childcare/kindergarten, aged care/supported accommodation and a community centre are a priority. This is followed closely by a community centre/space.
- Active transport and public transport around the site is valued and opportunities to facilitate access by walking and cycling are greatly desired.
- Strong views exist on the possible height and density of any future development. Some community members are concerned the proposed building heights will not reflect the character of the local area.
- The incorporation of art, be it public art or access to live music, is endorsed and seen as enhancing the future character of the site
- Remediation of the site is understood to be a certainty. Community members expect it to be completed safely, in accordance with health and safety regulations and to be consulted closely about the ongoing impacts of this work.

### **Arboricultural Assessment Report**

An arboricultural assessment of tree features within the site was prepared by Tree Logic in June 2016. The following advice was provided:

The surveyed trees were collected as two hundred and one (201) tree features comprising one hundred and fifty-seven (157) individual trees, twenty-five (25) shrubs and two (2) tree groups comprising twenty (20) trees. Of the assessed vegetation within the tree study area:

- Two (2) tree features attained an arboricultural rating of High.
- Sixty (60) tree features were attributed an arboricultural rating of Moderate.
- One hundred and thirty-seven (137) tree features were attributed a Low arboricultural rating, due to health and or structural deficiencies or being of small size.
- Three (3) tree features were attributed an arboricultural rating of None, due to very poor health and or structural condition.

From an arboricultural perspective, trees of High and Moderate arboricultural value represent the best opportunity to retain as amenity specimens, as they comprise established trees of fair or better quality. Low rated trees are not considered worthy of being a constraint on any proposed development. Trees attaining an arboricultural rating of None should be removed regardless of any proposed development.

## The proposed amendment

Proposed Amendment C243 to the Yarra Planning Scheme seeks to:

- Rezone the land from Public Use Zone and Commercial 2 Zone to Mixed Use Zone and Public Use Zone (2 – Education for the existing council depot).
- Introduce a new Schedule 16 to the Development Plan Overlay into the planning scheme and apply it to the entire site.
- Apply an Environmental Audit Overlay to the site.
- Amend Clause 61.01 of the Yarra Planning Scheme to make the Minister for Planning the Responsible Authority for the site.

## Zoning

### Mixed Use Zone

The purpose of the zone is:

- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

The Mixed Use Zone will facilitate the mixed use redevelopment of the site at greater height and density which complements the surrounding locality.

### Public Use Zone

The purpose of the zone is to recognise public land use for public utility and community services and facilities and to provide for associated uses that are consistent with the intent of the public land reservation or purpose.

The existing Council depot site is proposed to be rezoned to Public Use Zone (2 – Education). Development Victoria is working with the Department of Education and Training and the Victorian School Building Authority on requirements for the site.



*Figure 10: Proposed zone map*

## Overlays

### Schedule to the Development Plan Overlay (DPO)

The purpose of a DPO is to identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land and to exempt an application from notice and review if it is generally in accordance with a development plan.

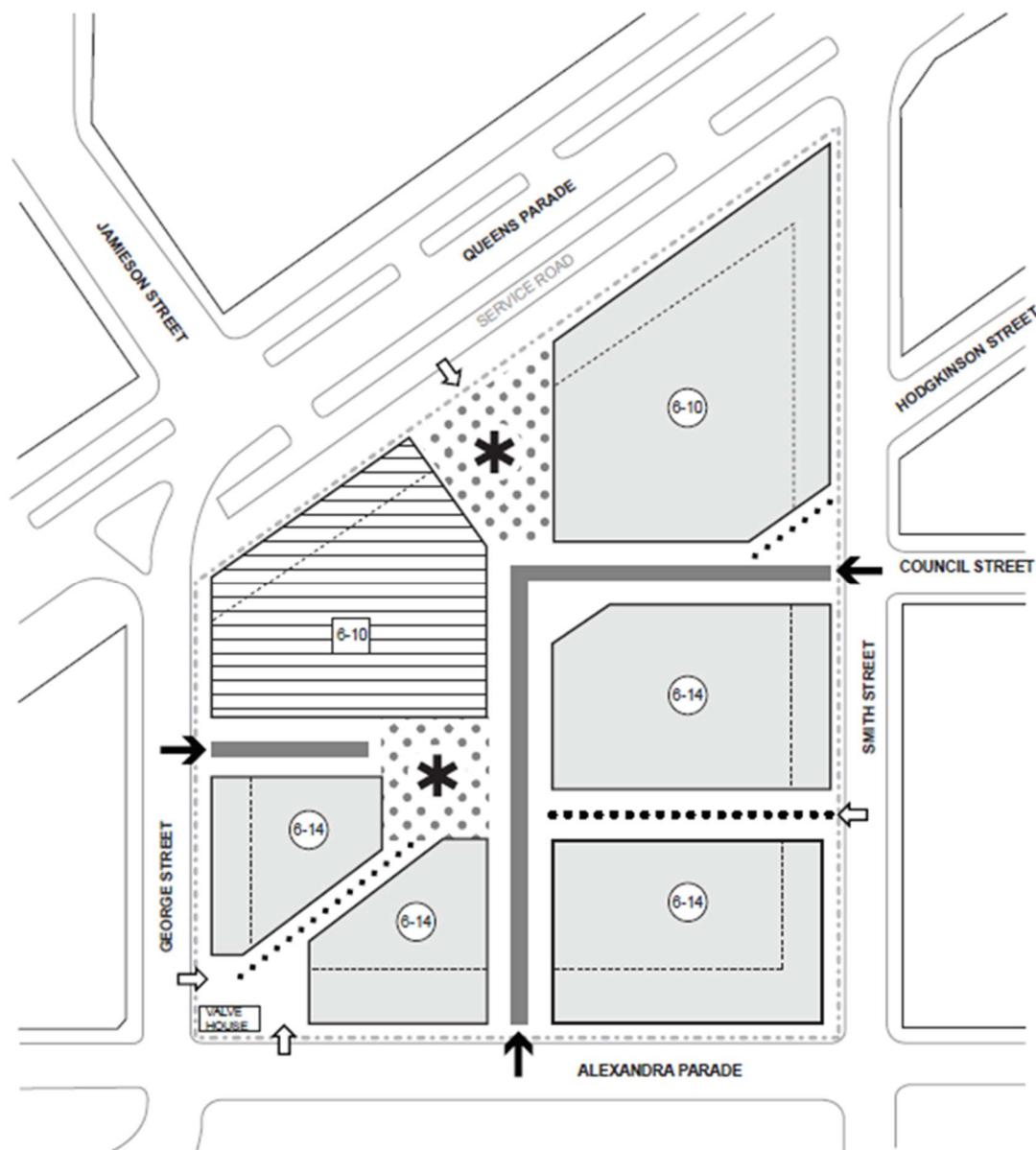
The proposed Schedule to the DPO indicates that a Development Plan must be prepared, generally in accordance with the concept plan forming part of the schedule and the *North Fitzroy Gasworks Precinct Urban Design Framework 2008*. The Development Plan should:

- Develop a mixed use precinct comprising a variety of housing types, community facilities and public open space.
- Create high quality architectural frontages with a sense of articulation, streetscape scale and rhythm that contributes to the significance of Queens Parade and Alexandra Parade.
- Activate street frontages to contribute to street life and safety through passive surveillance, especially along Smith Street, encouraging retail, office and other uses at street level.
- Building massing transitioning to reduced heights and increased setbacks along sensitive interfaces with increased heights at the centre of the site.
- A range of dwelling types to cater for a variety of housing needs including affordable housing and family friendly housing.
- Create useful public spaces to meet local needs and improve resident amenity and usability.
- Support for the provision of community infrastructure to service the needs of the local area including complimenting the adjoining proposed indoor sports courts and integration of the site with the adjoining proposed education facility.
- The provision of effective traffic management and car parking.
- Incorporation of sustainable design features to address water management, solar access and energy saving initiatives.

The Development Plan must be generally in accordance with the Concept Plan and building heights and setbacks shown below.

STREET	DISTANCE FROM BOUNDARY	MAXIMUM HEIGHT WITHIN SETBACK	OVERALL MAXIMUM HEIGHT
	METRES (m)		
QUEENS PARADE	0 to 8m > 8m	6 storeys (20m) 10 storeys (32m)	10 storeys (32m)
SMITH STREET from QUEENS PDE TO COUNCIL ST.	Up to 11.5m > 12m	6 storeys (20m) 10 storeys (32m)	10 storeys (32m)
SMITH STREET from COUNCIL ST. TO ALEXANDRA PDE.	Up to 19m > 19m	10 storeys (32m) 14 storeys (45m)	14 storeys (45m)
ALEXANDRA PARADE	Up to 22m > 22m	10 storeys (32m) 14 storeys (45m)	14 storeys (45m)
GEORGE STREET PUBLIC USE ZONE	0 to 14m > 14m	10 storeys (32m) 14 storeys (45m)	14 storeys (45m)
GEORGE STREET MIXED-USE ZONE	6 to 14m > 14m	10 storeys (32m) 14 storeys (45m)	14 storeys (45m)

Figure 11: Building height and setback table proposed in Schedule 16 to the Development Plan Overlay

**LEGEND**

MIXED USE	VEHICLE AND PEDESTRIAN ACCESS
PUBLIC USE ZONE	PEDESTRIAN / CYCLE ACCESS
ARTICULATED MIXED-USE BUILT FORM TO A MAXIMUM HEIGHT - NO. OF STOREYS	PLAZA - PRIMARY PEDESTRIAN NODE
PUBLIC USE BUILT FORM TO A MAXIMUM HEIGHT - NO. OF STOREYS (EQUIVALENT RESIDENTIAL HEIGHT)	INTERNAL STREET
UPPER LEVEL SETBACKS	PEDESTRIAN CONNECTIONS
DPO BOUNDARY	PRIMARY PUBLIC REALM

*Figure 12: Proposed Indicative Concept Plan*

The proposed DPO will require the following in preparing a Development Plan:

- Site analysis and response
- Planning report
- Design guidelines
- Staging Plan
- Heritage Assessment

- Landscape and Public Realm Concept Plan
- Traffic Management Plan
- Site Remediation Plan
- Environmentally Sustainable Design strategy
- Community Needs Assessment
- Services and Infrastructure Plan
- Stormwater and Flooding Management Strategy
- Dwelling and Diversity and Affordable Housing Report

### **Environmental Audit Overlay**

Ministerial Direction No.1 – Potentially Contaminated Land requires that *in preparing an amendment which would have the effect of allowing (whether or not subject to the grant of a permit) potentially contaminated land to be used for a sensitive use, agriculture or open space, a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.*

The application of an Environmental Audit Overlay (EAO) will ensure that the land is suitable prior to commencement of a sensitive use. The purpose of the EAO is to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination. The overlay requires that before a sensitive use commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or
- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

### **Schedule to Clause 61.01**

The amendment proposes to make changes to the Schedule to Clause 61.01 making the Minister for Planning the Responsible Authority for administering and enforcing the scheme for the land.

### **Existing overlays**

The existing Heritage Overlays, Special Building Overlay and Design and Development Overlay are proposed to be retained.

## Strategic Policy context

The proposed amendment is consistent with the relevant objectives of the State and Local Planning Policy Frameworks, including the *North Fitzroy Gasworks Precinct Urban Design Framework 2008* prepared by the City of Yarra.

### State Planning Policy Framework

#### *Clause 11.06 – Metropolitan Melbourne*

*To provide housing choice close to jobs and services.*

*To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.*

The amendment facilitates the redevelopment of underutilised land in a well serviced established suburb in Melbourne. The land is centrally located to public transport, services and activity centres. The amendment supports Plan Melbourne's direction to deliver more housing closer to jobs and public transport.

#### *Clause 15.01 – Urban Environment*

*To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

*To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

*To ensure the conservation of places of heritage significance.*

The proposed Schedule to the Development Plan Overlay will ensure that considered architectural and urban design ensure built form is sensitive to the vicinity and that the heritage assets are protected.

#### *Clause 16.01 – Residential Development*

*To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport.*

*To identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.*

The site occupies a prominent position between Queens Parade, Alexandra Parade and Smith Street. These major transport routes connect the precinct to the CBD and the eastern and north-eastern suburbs. The proposed amendment provides for medium to high development in a location within close proximity to employment and transport.

### Plan Melbourne

Specifically, it supports the implementation of the following Plan Melbourne initiatives.

#### *Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city*

The social, economic and environmental benefits of creating a more compact, sustainable city are profound. Some of the benefits of compact, higher-density neighbourhoods are as follows:

It encourages positive social interaction and diversity, improves the viability of (and access to) community services and enables more (and better integrated) housing.

It enhances the economic viability of development, improves the economic viability of infrastructure delivery and existing infrastructure.

It creates sustainable demand for more transport options – including public transport, walking and cycling – and can reduce overall travel time.

*Policy 2.1.2 – Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport*

Victoria in Future projections indicate that around 65 per cent of all new dwellings will be in Melbourne’s established areas, with 35 per cent in growth area greenfield sites.

*Direction 2.2 – Deliver more housing closer to jobs and public transport*

Locating medium and higher-density development near services, jobs and public transport supports the objectives of consolidation and housing choice.

For this direction to be achieved, the standards of higher-density housing needs to be raised. There are significant opportunities for housing development in and around the central city. There are also opportunities for more medium and higher-density development in middle suburbs close to jobs and services including:

- urban renewal precincts
- areas identified for residential growth
- areas identified for greyfield renewal
- areas designated as national employment and innovation clusters
- metropolitan activity centres and major activity centres
- neighbourhood activity centres—especially if they have good public transport connections
- areas near existing and proposed railway stations that can support transit-oriented development.

Encouraging mixed-use developments and greater housing diversity and density near employment and transport will create opportunity and choice for medium- and low-income households.

*Direction 2.5 – Provide greater choice and diversity of housing*

Housing diversity relates to the size, cost, number of bedrooms, character and age of dwellings. It also extends to other types of housing, such as low-cost rental aged care, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Creating greater choice and diversity of housing across the city has clear benefits—such as improved access to jobs, services and transport. For newly formed households, providing a diversity of housing may enable them to remain within a preferred location. For older couples, housing diversity may enable them to downsize to more compact accommodation within their neighbourhood.

*Direction 5.1 – Create a city of 20-minute neighbourhoods*

Research undertaken by the Heart Foundation (Victoria) for the Victorian Government identifies hallmarks of a 20-minute neighbourhood. A 20-minute neighbourhood must:

- be safe, accessible and well connected for pedestrians and cyclists to optimise active transport
- offer high-quality public realm and open space
- provide services and destinations that support local living
- facilitate access to quality public transport that connects people to jobs and higher-order services
- deliver housing/population at densities that make local services and transport viable
- facilitate thriving local economies.

The 20-minute neighbourhood is all about ‘living locally’—giving people the ability to meet most of their everyday needs within a 20-minute walk, cycle or local public transport trip of their home. If 20-minute neighbourhoods

existed across Melbourne, it could reduce travel by nine million passenger kilometres and cut Melbourne's daily greenhouse gas emissions by more than 370,000 tonnes.

## Local Planning Policy Framework

### Clause 21.03 – Vision

*This Clause identifies the site as a Strategic Redevelopment Site.*

The proposed amendment supports this Clause by providing an opportunity for the redevelopment of this site for a mixed use village comprising a variety of housing types, community facilities and open space at a medium to high density.



*Figure 13: Residential Opportunities Map in Clause 21.03 of the Yarra Planning Scheme*

### Clause 21.04 – Land Use

*Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.*

*Support the provision of affordable housing for people of all abilities, particularly in larger residential developments and on Strategic Redevelopment Sites.*

The site is identified as a Strategic Redevelopment site and the redevelopment proposes to deliver more housing at a greater height and density in a location with good access to jobs and services.

The proposal is consistent with the *North Fitzroy Gasworks Precinct Urban Design Framework 2008* prepared by the City of Yarra. Proposed heights and density will ensure the development complements the surrounding area while still meeting the objective to provide more inner-city housing.

The proposed Schedule to the Development Plan Overlay ensures that a range of dwelling types including affordable and family friendly housing is considered for the site.

### Clause 21.08 – Neighbourhoods

*This clause sets out the locally specific implementation of the objectives and strategies of previous clauses for Yarra's neighbourhoods.*

The site is identified as a Strategic Redevelopment Site:

- *Encouraging the redevelopment of the site in a way that contributes positively to the urban fabric and public domain of Yarra and where subject to the Heritage Overlay, protects the heritage of the site and the area.*

The proposal has been developed ensuring the development is appropriate for the surrounding area.

The proposed amendment retains the current Heritage Overlay that applies to the Valve House and Porter Shed located on the site. The Valve House will be investigated for retention as a significant heritage element and an adaptive reuse outcome developed. The Porter Shed is proposed to be removed from the site, restored and relocated elsewhere. This process is subject to ongoing discussions with Heritage Victoria and approvals in accordance with the *Heritage Act 1988*.

### North Fitzroy Gasworks Precinct Urban Design Framework 2008 (UDF)

The proposed amendment is consistent with the UDF. In particular, the UDF states that future development of the Gasworks Precinct should:

- *Respond to Queens Parade and Alexandra Parade with built form that contributes to their significance as formal boulevards, and land uses that suit the varied traffic and environmental conditions along them.*
- *Address Smith Street to strongly encourage the use of tram services in connection with development of the site, and to contribute to the streetscape character and vitality of the activity strip along the length of Smith Street.*
- *Improve pedestrian and bicycle access into and through the precinct to support its development and to integrate activity in the area with surrounding neighbourhoods.*
- *Accommodate community facilities meeting strategic needs of the wider area.*
- *Create useful public spaces to meet local needs, to improve their amenity and usability.*
- *Capitalise on significant development opportunities created by excavation for site remediation purposes and by the buffer created by wide roads north and south of the Gas & Fuel site.*

The proposed amendment has been developed in line with the principles listed above.

Proposed heights and density will ensure the development is appropriate for the surrounding area, while still meeting the objective of providing more inner-city housing within close proximity to jobs, services and transport.

The concept Master Plan provides for an indoor sports facility that would comprise six multi-purpose double storey sports courts. The facility would also include a community space that would be developed in consultation with the community and council. The Master Plan also includes open space with several public areas, landscaped gardens and squares created to encourage a sustainable and vibrant community.

The site is well located in terms of proximity to public transport options. There is a strong focus on walking and cycling connections within the site to encourage active forms of transport.

## Strategic Assessment

Ministerial Direction No.11 – Strategic Assessment of Amendments requires a comprehensive strategic evaluation of planning scheme amendments and the outcomes it produces. A full assessment of the amendment is provided below.

### Why is the Amendment required?

The Fitzroy North former Gasworks Site has been declared surplus to government requirements and provides an opportunity to create a new mixed use development with homes, retail, commercial uses, community facilities and public open space. The site offers a rare opportunity for precinct development within an established suburb. Being surrounded on all sides by major roads creates an island effect with a significant buffer between the site and existing urban environments, thereby providing a site with space to address both community needs as well as responsible commercial development outcomes. The site also provides an opportunity to support Plan Melbourne's aim to accommodate growth while limiting spread of the metropolitan area as well as to provide services that will enhance surrounding heritage areas.

The amendment is generally consistent with the *North Fitzroy Gasworks Precinct Urban Design Framework 2008* prepared by the City of Yarra.

### How does the Amendment implement the objectives of planning in Victoria?

The amendment implements the objectives in section 4 of the *Planning and Environment Act 1987* (the Act), in particular;

- To provide for the fair, orderly, economic and sustainable use, and development of the land;
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e); and
- To balance the present and future interests of all Victorians.

### How does the Amendment address any environmental, social and economic effects?

The amendment will have a positive environmental, social and economic impact as it will facilitate the provision of housing and to support the future population of the area. The Schedule to the Development Plan Overlay will encourage high quality built form and open space areas, improving the existing amenity of the area.

The redevelopment of the site for medium to high density residential development supports the relevant policies in Plan Melbourne to meet the needs of Victoria's growing population. This will facilitate the development of the site for a new residential community.

The site is heavily contaminated from its former use as a Gasworks. The redevelopment of the site will ensure appropriate remediation to improve the environmental conditions of the site and surrounds in accordance with the Environmental Audit Overlay proposed to be applied to the site.

### Does the Amendment address relevant bushfire risk?

There is no identified bushfire risk in the urban area.

**Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act, Direction No.9 – Metropolitan Strategy and Direction 11 – Strategic Assessment under section 12(2) of the Act.

*Ministerial Direction 1: Potentially Contaminated Land*

The purpose of Ministerial Direction 1: Potentially Contaminated Land is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination.

Due to the sites former use as a gasworks, extensive remediation works are required prior to any construction. The proposed application of the Environmental Audit Overlay will ensure the site is suitable for sensitive uses prior to commencement.

**How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?**

The amendment is consistent with the relevant objectives of the State Planning Policy Framework and Plan Melbourne.

*Clause 11.06 – Metropolitan Melbourne*

To provide housing choice close to jobs and services.

To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.

*Clause 15.01 – Urban Environment*

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

To ensure the conservation of places of heritage significance.

*Clause 16.01 – Residential Development*

To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport.

To identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

Specifically, it supports the implementation of the following Plan Melbourne initiatives.

*Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city*

The social, economic and environmental benefits of creating a more compact, sustainable city are profound. Some of the benefits of compact, higher-density neighbourhoods are as follows:

It encourages positive social interaction and diversity, improves the viability of (and access to) community services and enables more (and better integrated) housing.

It enhances the economic viability of development, improves the economic viability of infrastructure delivery and existing infrastructure.

It creates sustainable demand for more transport options – including public transport, walking and cycling – and can reduce overall travel time.

*Policy 2.1.2 – Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport*

Victoria in Future projections indicate that around 65 per cent of all new dwellings will be in Melbourne's established areas, with 35 per cent in growth area greenfield sites.

*Direction 2.2 – Deliver more housing closer to jobs and public transport*

Locating medium and higher-density development near services, jobs and public transport supports the objectives of consolidation and housing choice.

For this direction to be achieved, the standards of higher-density housing needs to be raised. There are significant opportunities for housing development in and around the central city. There are also opportunities for more medium and higher-density development in middle suburbs close to jobs and services including:

- urban renewal precincts
- areas identified for residential growth
- areas identified for greyfield renewal
- areas designated as national employment and innovation clusters
- metropolitan activity centres and major activity centres
- neighbourhood activity centres—especially if they have good public transport connections
- areas near existing and proposed railway stations that can support transit-oriented development.

Encouraging mixed-use developments and greater housing diversity and density near employment and transport will create opportunity and choice for medium- and low-income households.

*Direction 2.5 – Provide greater choice and diversity of housing*

Housing diversity relates to the size, cost, number of bedrooms, character and age of dwellings. It also extends to other types of housing, such as low-cost rental aged care, supported accommodation for people with disability, rooming houses, student accommodation and social housing.

Creating greater choice and diversity of housing across the city has clear benefits—such as improved access to jobs, services and transport. For newly formed households, providing a diversity of housing may enable them to remain within a preferred location. For older couples, housing diversity may enable them to downsize to more compact accommodation within their neighbourhood.

*Direction 5.1 – Create a city of 20-minute neighbourhoods*

Research undertaken by the Heart Foundation (Victoria) for the Victorian Government identifies hallmarks of a 20-minute neighbourhood. A 20-minute neighbourhood must:

- be safe, accessible and well connected for pedestrians and cyclists to optimise active transport
- offer high-quality public realm and open space
- provide services and destinations that support local living
- facilitate access to quality public transport that connects people to jobs and higher-order services
- deliver housing/population at densities that make local services and transport viable
- facilitate thriving local economies.

The 20-minute neighbourhood is all about ‘living locally’—giving people the ability to meet most of their everyday needs within a 20-minute walk, cycle or local public transport trip of their home. If 20-minute neighbourhoods existed across Melbourne, it could reduce travel by nine million passenger kilometres and cut Melbourne’s daily greenhouse gas emissions by more than 370,000 tonnes.

**How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment supports the Local Planning Policy Framework and Municipal Strategic Statement of the Yarra Planning Scheme through the following clauses.

**Clause 21.03 – Vision**

This Clause identifies the site as a Strategic Redevelopment Site.

**Clause 21.04 – Land Use**

Direct higher density residential development to Strategic Redevelopment Sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.

Support the provision of affordable housing for people of all abilities, particularly in larger residential developments and on Strategic Redevelopment Sites.

**Clause 21.08 – Neighbourhoods**

This clause sets out the locally specific implementation of the objectives and strategies of previous clauses for Yarra's neighbourhoods.

The site is identified as a Strategic Redevelopment Site to encourage the redevelopment of the site in a way that contributes positively to the urban fabric and public domain of Yarra and where subject to the Heritage Overlay, protects the heritage of the site and the area.

**Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victorian Planning Provisions by applying the Mixed Use Zone, Development Plan Overlay and Environmental Audit Overlay to the site. It will facilitate future land use and development on a strategic site by applying an appropriate zone and overlay which will allow for the development in accordance with the State and Local Planning Policy Framework.

**How does the Amendment address the views of any relevant agency?**

Development Victoria has undertaken a two-phase engagement process for the site.

Phase 1 was undertaken with relevant government agencies, the City of Yarra and the local community in 2016. Two community information sessions were held, notices sent to residents, presentations made to relevant stakeholder groups and numerous Council briefings on the redevelopment of the site. Approximately 2,500 comments were received from stakeholders and community members and 65 stakeholders attended two community information sessions.

Key themes raised during the consultation process were:

- recreation and open space with specific themes around an indoor sporting facility, open space, playgrounds and skate parks.
- built form, housing and land use mix, specifically affordable and social housing, height and density, architecture and design, sustainable design and mixed land use.
- community facilities and amenities including galleries, studio and artistic spaces, commercial spaces for retail, food and beverage, a 'village feel' that encompasses safety and a family friendly neighbourhood, education and child care facilities and a library or community drop in centre.
- transport including access and cycling facilities, car parking, public transport, site access and walkability.
- heritage, specifically retaining the existing formal and informal heritage aspects including indigenous heritage, art and streetscapes as well as reflecting the historical use of the site.
- environment including green open space, sustainable design principles and concerns relating to the site remediation.

- process around the project, specifically planning and development, community engagement process and the funding model.

Phase 2 was undertaken in November 2017 which included exhibition of the concept Master Plan. This process demonstrated how community concerns and aspirations identified during Phase 1 engagement were responded to in Concept Plans, prior to the submission of this amendment. The engagement included an online platform/survey, Community Reference Group, community information sessions and notices sent to 3000 residents. The online platform received 5840 views, 447 downloads and 76 survey responses. Community information sessions were held on 19 and 21 November 2017 which attracted 25 attendees.

Input from the Office of the Victorian Government Architect (OVGA) has also been considered on two separate occasions and incorporated into the Master Plan and discussions with the Department of Treasury and Finance to manage the remediation works will continue throughout the process.

#### **Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The amendment is not expected to generate a significant impact on the transport system. A Traffic Management Plan will be undertaken to ensure effective management of traffic management resulting in the proposed development.

#### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is unlikely to have an adverse impact on resource and administrative costs to the responsible authority.

## Conclusion

Proposed Amendment C243 to the Yarra Planning Scheme seeks to:

- Rezone the land from Public Use Zone and Commercial 2 Zone to Mixed Use Zone and Public Use Zone (2 – Education for the council depot).
- Introduce a new Schedule 16 to the Development Plan Overlay into the planning scheme and apply it to the site.
- Apply an Environmental Audit Overlay to the site.
- Amend Clause 61.01 of the Yarra Planning Scheme to make the Minister for Planning the Responsible Authority for the site.

The proposed amendment is consistent with relevant State and Local policies and supports Plan Melbourne's direction to deliver more housing closer to jobs and public transport and identifying opportunities for more medium to high density development in middle suburbs close to jobs and services.

The Mixed Use Zone is considered the most appropriate zone to facilitate the redevelopment of the site in accordance with State and Local Planning Policy Frameworks. The Schedule to the Development Plan Overlay will provide clear direction on the future redevelopment of the site.

The proposed redevelopment meets the Government's objective of delivering vibrant neighbourhoods, thriving shopping strips and affordable housing that is close to jobs, services and transport.